

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

| | | |
|----------------------------|---|---------------------------|
| RUDY M. THOMAS, |) | CASE NO. 8:08CV370 |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | ORDER |
| |) | |
| GREAT WESTERN BANK, |) | |
| |) | |
| Defendant. |) | |

This matter is before the Court on the Report and Recommendation of Magistrate Judge F.A.Gossett (Filing No. 16) recommending that the Plaintiff's Motion to Remand (Filing No. 9) be denied. The recommendation is based on Judge Gossett's conclusion that the matter in controversy at the time of removal exceeded the sum or value of \$75,000.00. The Report and Recommendation was filed on November 12, 2008.

A Statement of Objection to the Report and Recommendation, as allowed by 28 U.S.C. § 636(b)(1) and NECivR 72.3(a), has not been filed by either party. Having reviewed the record and having considered the Magistrate Judge's recommendation, *de novo*, I conclude that Judge Gossett's Report and Recommendation should be adopted, and the Plaintiff's Motion to Remand (Filing No. 9) should be denied.

Accordingly,

IT IS ORDERED:

1. The Report and Recommendation (Filing No. 16) is adopted in its entirety;
2. Plaintiff's Motion to Remand (Filing No. 9) is denied; and
3. The matter is referred to the Magistrate Judge for the entry of a progression order.

Dated this 3rd day of December, 2008.

BY THE COURT:

s/Laurie Smith Camp
United States District Judge